GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

STARRED QUESTION NO:429
ANSWERED ON:31.03.2017
Unethical Practices in Medical Sector
Karandlaje Km. Shobha

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government has taken note of the nexus between corporate hospitals, pharma companies and doctors thereby increasing the health risks and the cost of treatment and if so, the corrective steps taken by the Government in this regard;

(b) whether the Government proposes to formulate effective plans for accountable regulation of the private medical sector in the country and if so, the details thereof;

(c) the steps taken for regulation of medical sector/transformation of healthcare system in the country;

(d) whether the Government proposes to formulate a patient-friendly and accessible grievance redressal forum to curb such unethical medical practices in private medical sector; and

(e) if so, the details thereof and if not, the reasons therefor?

Answer

ANSWER
THE MINISTER OF HEALTH AND FAMILY WELFARE
(SHRI JAGAT PRAKASH NADDA)

(a) to (e): A statement is laid on the Table of the House

STATEMENT REFERRED TO IN REPLY TO LOK SABHA
STARRED QUESTION NO. 429* FOR 31ST MARCH, 2017

(a) The Department of Pharmaceuticals has, keeping in view the reports that pharmaceutical companies indulge in unfair practices, formulated the "Uniform Code for Pharmaceutical Marketing Practices (UCPMP)". It has come into operation with effect from 01.01.2015.

(b)& (c) Health is a State subject. The Government of India has, however, enacted the Clinical Establishments (Registration and Regulation) Act, 2010 and notified Clinical Establishments (Central Government) Rules, 2012. These provide for registration and regulation of Clinical Establishments including those in the private sector belonging to Allopathic and AYUSH systems of medicine. Therapeutic as well as diagnostic establishments are covered under this Act. The Act is currently applicable in ten States and all Union Territories except Delhi. In the States/Union Territories where the said Act is in force, the clinical establishments are required to meet the norms such as minimum standards of facilities and services, minimum requirement of personnel, maintenance of records and reports and displaying of rates at a conspicuous place. The clinical establishments are also required to follow Standard Treatment Guidelines issued by the Central/State Governments and charge rates for each type of procedure and service within the range of rates determined from time to time. The enforcement of this Act is with the States/Union Territories.

(d) & (e) The Clinical Establishments (Registration and Regulation) Act, 2010 provides sufficient scope for the States and Union Territories for effectively redressing public grievances and curb unethical medical practices. Further, the MCI and State Medical Councils are empowered to take action against a doctor for violation of the provisions of the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulation, 2002. The complaints related to overcharging, deficiency in medical care, etc. can also be filed in District/State/National Consumer Disputes Redressal Forums under the Consumer Protection Act.

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